

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

VICKIE A. KIMBERLY,	:	Case No. 1:12-cv-654
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

**ORDER THAT: (1) THIS MATTER BE REMANDED TO THE ALJ UNDER THE
FOURTH SENTENCE OF 42 U.S.C. § 405(g); AND (2) THIS CASE BE CLOSED**

This civil action is before the Court on the parties' joint stipulation for remand. (Doc. 16). The parties request the Court to order remand of this case for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) and to enter judgment pursuant to Fed. R. Civ. P. 58. Accordingly, the parties' joint request for remand (Doc. 16) is **GRANTED**.

On remand, the Administrative Law Judge ("ALJ") will re-evaluate Plaintiff's allegations of fibromyalgia in accordance with Social Security Ruling ("SSR") 12-2p and fatigue in accordance with SSR 99-2p. The ALJ will address Plaintiff's obesity. The ALJ also will address the opinions from treating physician Dr. McKinley and specify the weight given to his opinions in accordance with SSR 96-5p.

IT IS SO ORDERED.

Date: 4/25/2013

s/ Timothy S. Black
Timothy S. Black
United States District Judge